

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
April 4, 2006

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:00 p.m., Tuesday, April 4, 2006, in the East Room, York Hall, by Chairman Walter C. Zaremba.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zaremba, Sheila S. Noll, Kenneth L. Bowman, James S. Burgett, and Thomas G. Shepperd, Jr.

Also in attendance were James O. McReynolds, County Administrator; J. Mark Carter, Assistant County Administrator; and James E. Barnett, County Attorney.

**WORK SESSION**

UPDATE ON THE 225<sup>TH</sup> ANNIVERSARY CELEBRATION OF THE VICTORY AT YORKTOWN

Mr. McReynolds indicated a representative of the National Park Service was present to update the Board on plans for the Celebration of the 225th Anniversary of the Victory of Yorktown which will be a four-day festival conducted October 19-22. He stated the theme for the celebration is "A Salute to the Military," and planning efforts for the celebration have been on-going for several years.

Mr. Mike Litterst, Colonial National Historical Park, stated that October 19 is the 225th anniversary of the victory over the British, and the annual one-day event will be expanded to a four-day event this year. He reviewed past observances of the victory beginning with the one in 1824. He indicated there is widespread support for the event, and he listed the organizations that will participate in the celebration. Mr. Litterst then reviewed plans for the four-day celebration that include:

October 19

Parade  
Patriotic Ceremonies  
3rd US Infantry--The Old Guard  
Electronic Field Trip  
Symphony Concert  
"An American Symphony" Pageant  
Naval Sail--Virginia--Alliance--Godspeed--USS Normandy--French destroyer--others

October 20-21

Battle Re-enactments

October 21-22

Festival at Riverwalk Landing  
Live Stage Entertainment

Mr. Litterst next explained the logistics of the celebration, reviewing the plans for transportation and traffic control, noting that shuttle service will be available all four days. He next reviewed the costs for the event, including transportation/traffic control, logistics, person-

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nel/overtime, and programming. He stated this is one of 2007's signature events, and he listed several others, beginning with the Godspeed sail 2006.

Mr. McReynolds further noted that the entire state has been encouraged to spruce up and make it more attractive for visitors. He displayed slides depicting the garden going in at Five Points around the Yorktown Entrance Sign. He spoke of other plantings and flower beds going in throughout the County and Yorktown Village, stating landscaping enhancements will also be made at all entrance signs to the County.

Mr. Shepperd asked where citizens could obtain the snowflower trees.

Mr. McReynolds indicated they could be obtained at local nurseries, or citizens can contact the County's Information Office for locations.

Mr. Bowman questioned the availability of the docks for private boats during the four-day celebration.

Mr. McReynolds stated private boats can dock to the extent there are no military or large ships tied up. He indicated there should be ample room for pleasure boats.

Mr. Litterst indicated the Park Service is providing the harbormaster with information on what military and tall ships will be present during the four-day event.

Mr. Bowman asked about plans for security during the celebration.

Mr. Litterst explained that security is a large logistical problem and can be a large financial obligation as well, which is why the President and Vice President will not be present. He stated the York County Sheriff's office is working the security end of the celebration.

Mr. McReynolds stated that coordination is taking place with state and federal agencies and local police and sheriffs departments to make sure security is being addressed adequately. He noted there is a coordinating team for each of the milestone events.

Discussion followed on the cost of the celebration and funds that have been committed by the County and the National Park Service. Mr. Zaremba also noted during discussion that Secretary Nicholson of the Veterans Administration has tentatively agreed to be a keynote speaker.

## **CONSENT CALENDAR**

Mr. Burgett moved that the Consent Calendar be approved as submitted, Item Nos. 1, 2, 3, and 4, respectively.

On roll call the vote was:

Yea:	(5)	Noll, Bowman, Shepperd, Burgett, Zaremba
Nay:	(0)	

Thereupon, the following minutes were approved and resolutions adopted:

### **Item No. 1. APPROVAL OF MINUTES**

The minutes of the following meetings of the York County Board of Supervisors were adopted:

March 7, 2006, Regular Meeting  
March 14, 2006, Adjourned Meeting

### **Item No. 2. PURCHASE AUTHORIZATION: Resolution R06-34**

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE AGREEMENTS FOR PAVEMENT MAINTENANCE  
SERVICES AND THE PURCHASE OF FIRE STATION TELEPHONE  
SYSTEMS

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurements are necessary and desirable, they involve the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2006, that the County Administrator be, and hereby is, authorized to execute procurement arrangements for the following:

	<u>AMOUNT</u>
Pavement Maintenance Services	\$52,542
Fire Station Telephone Systems	\$37,529

Item No. 3. PUBLIC SEWER EXTENSION AGREEMENT—WOODS OF TABB, SECTION 7:  
Resolution R06-39

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE  
COUNTY'S SANITARY SEWER SYSTEM TO A PROPOSED DE-  
VELOPMENT KNOWN AS WOODS OF TABB SECTION SEVEN,  
AND AUTHORIZING EXECUTION OF THE NECESSARY PUBLIC  
SEWER EXTENSION AGREEMENT

WHEREAS, Carys Chapel, L.L.C., has requested that the County enter into a public sewer extension agreement pursuant to § 18.1-53 (b) of the York County Code to serve fifteen new residential lots; and

WHEREAS, the plan for the proposed project has been reviewed by the County; and

WHEREAS, prior to final approval of these plans and the initiation of any construction activity, it is necessary that a determination be made as to whether the Board will authorize the extension of the public sewer facilities of the County to serve the proposed development; and

WHEREAS, it has been determined that sufficient capacity exists in the County's existing sewer system to serve the proposed development, or will exist when the facilities proposed by the developer are constructed; and

WHEREAS, in accordance with the terms of Chapter 18.1 of the York County Code, the total connection fee to be paid to the County for the proposed extension to serve this development has been determined to be \$34,500;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2006, that the Board approves the extension of the County's public sewer system to serve the proposed development, Woods of Tabb Section Seven, and that the County Administrator be, and he hereby is, authorized to execute a public sewer extension agreement with Carys Chapel, L.L.C., for the proposed extension; such agreement to be approved as to form by the County Attorney.

Item No. 4. VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT (VJCCCA): Resolution  
R06-27

A RESOLUTION TO APPROVE A PLAN FOR COMPLIANCE WITH THE PROVISIONS OF THE VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT AND TO DESIGNATE THAT FUNDS RECEIVED UNDER THE ACT BE USED TO CONTINUE THE PROGRAMS REGIONALLY FUNDED THROUGH THE COLONIAL GROUP HOME COMMISSION

WHEREAS, the 1995 General Assembly enacted the Virginia Juvenile Community Crime Control Act (ACT) to establish balanced, community-based programs and services for juvenile offenders; and

WHEREAS, York County has been a long-standing member of the Colonial Group Home Commission, a regional entity which also includes James City and Gloucester Counties, and the City of Williamsburg, which funds an extensive variety of community based services for juvenile offenders; and

WHEREAS, under the joint exercise of powers agreement executed between the member localities, York County serves as the managing jurisdiction on behalf of the Commission as well as the fiscal agent for the localities of Mathews County and the City of Poquoson, and delivers these regionally funded programs and services through the Juvenile Services Division of the County's Community Services Department; and

WHEREAS, these programs receive state support through the Virginia Juvenile Community Crime Control Act funds made available to Commission member localities and Mathews County and the City of Poquoson; and

WHEREAS, it is the desire and intent of the Board of Supervisors of York County that these regional juvenile offender programs and services be continued uninterrupted and that funds received by York County under the Act be used for such purposes.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 4th day of April, 2006, that York County agrees to participate in a combined plan with the members of the Colonial Group Home Commission, the City of Poquoson, and Mathews County until written notice to the contrary is provided to the other combined plan localities and the Virginia Department of Juvenile Justice.

BE IT FURTHER RESOLVED that York County agrees that York County will act as the fiscal agent for all VJCCCA funds received by York County for York County, and the Counties of Gloucester, James City, and Mathews, and the Cities of Poquoson and Williamsburg.

BE IT STILL FURTHER RESOLVED that funds awarded to York County under the Virginia Juvenile Community Crime Control Act be used to continue in an uninterrupted manner the programs and services regionally funded through the Colonial Group Home Commission.

BE IT STILL FURTHER RESOLVED that the County Administrator is hereby authorized to submit to the Virginia Department of Juvenile Justice any required service plans and compliance reports and to take all actions necessary to assure the successful continuation of this activity.

## **NEW BUSINESS**

### **PROPOSED FISCAL YEAR 2007 BUDGET AND TAX RATES FOR 2006**

Mr. McReynolds briefly reviewed the time line and meetings undertaken by the staff and Board during this year's budget process. He provided a brief summary of the major expenditures included in the proposed budget, stating the only change from the original proposal was to add \$5,000 for the Lackey Free Clinic. He stated the real estate tax rate proposed is \$.6975, and there is no change to other tax rates. Mr. McReynolds then noted that the last five years of the Capital Improvements Program is adopted as a planning document, and a resolution has been

prepared to approve the FY07 year of the Plan. He also noted that the Board had been provided with a resolution to designate a portion of the real property tax for school purposes.

Discussion followed on the organizations requesting funds that were not included in the proposed budget, but will be considered for tourism funds at year-end.

Mr. Shepperd stated education costs a ton of money, and it bothers him that an 8.4 percent increase automatically flows out of the County budget for education, as well as the way it is computed. He stated he would like the Board to take a stronger look at how that figure comes about next year.

Mr. Zarembo noted that from all the measurements the Board has been shown, the York County School Division is at the top of what the state has to offer with respect to public school systems. He added that the County spends a lot less than its neighbors and are more efficient. Mr. Zarembo stated he agreed with Mr. Shepperd that the formula or agreement for funding increases should be addressed next year with the School Board.

Mrs. Noll moved the adoption of proposed Ordinance No. 06-5 that reads:

AN ORDINANCE TO IMPOSE TAX LEVIES UPON TANGIBLE PERSONAL PROPERTY, UPON MACHINERY AND TOOLS, UPON MOBILE HOMES, AND UPON REAL ESTATE FOR THE CALENDAR YEAR 2006, AND TO PRORATE TAXES ON MOBILE HOMES

WHEREAS, it is necessary for the Board of Supervisors to establish real estate and personal property tax levies for the County of York for calendar year 2006 beginning January 1, 2006, and ending December 31, 2006; and

WHEREAS, the Board has duly advertised and held a public hearing on the subject tax levies;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the 4th day of April, 2006, that the following County tax levies be, and they hereby are, imposed for the calendar year 2006:

	<u>Class of Property</u>	<u>Rate Per \$100 of Assessed Valuation</u>
1.	Real Estate	.6975
2.	Tangible Personal Property	4.00
3.	Machinery and Tools	4.00
4.	Vehicles without motive power, used or designed to be used as manufactured homes as defined in Section 36-85.3 of the Code of Virginia	.6975
5.	Boats or watercraft weighing five tons or more	1.00

BE IT FURTHER ORDAINED that if a mobile home is delivered or moved to York County after January one of any year and used as a place of full-time residence by any person, the Commissioner of the Revenue shall assess and quarterly prorate any property taxes which would have been collectible had such mobile home been situated within York County on January one of that year.

On roll call the vote was:

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Yea: (5) Bowman, Burgett, Shepperd, Noll, Zaremba  
 Nay: (0)

Mrs. Noll moved the adoption of proposed Resolution R06-35 that reads:

A RESOLUTION TO APPROVE THE BUDGETS AND APPROPRIATE FUNDS FOR THE COUNTY OF YORK AND THE YORK COUNTY SCHOOL DIVISION FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, AND ENDING JUNE 30, 2007

WHEREAS, the County Administrator has submitted to the York County Board of Supervisors a proposed annual budget for the County for the fiscal year beginning July 1, 2006, and ending June 30, 2007, which has been reviewed by the Board of Supervisors; and

WHEREAS, it is necessary to adopt said budget and appropriate sufficient funds to cover the requirements included therein; and

WHEREAS, the Board of Supervisors, in exercising its independent judgment and in concert with the York County School Board, has considered the school's annual operating budget; and

WHEREAS, after considering the availability of local funds, approval of the York County School Board's fiscal year 2007 educational budget is based upon funding from the federal government in the amount of \$13,327,039; from the state government in the amount of \$60,436,393; from the local appropriations in the amount of \$40,298,677; and other local revenues in the amount of \$1,126,853;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2006, that the fiscal year 2007 annual budget of the York County School Division for school operations in the amount of \$115,188,962 be, and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

BE IT FURTHER RESOLVED that the annual budget in the sum of \$4,448,112 for fiscal year 2007 be, and is hereby, approved for the operation of food service programs for purposes authorized and approved by the York County School Board subject to and contingent upon the availability of funds.

BE IT STILL FURTHER RESOLVED that an annual appropriation in the sum of \$11,750,000 for fiscal year 2007 be, and is hereby, made for school capital projects.

BE IT STILL FURTHER RESOLVED that the fiscal year 2007 annual budget for the County of York be, and is hereby, adopted as proposed on this date.

BE IT STILL FURTHER RESOLVED that the following annual appropriations for fiscal year 2007 be, and are hereby, made in the General Fund for the following functions:

<u>Functions:</u>	
General Administration	\$ 1,973,581
Judicial Services	2,492,320
Public Safety	23,883,207
Environmental & Development Services	4,383,100
Finance & Planning	8,019,954
Education & Educational Services	49,128,984
Human Services	2,773,918
General Services	6,468,365
Community Services	3,101,230
Capital Outlay & Fund Transfers	5,711,723
Non-Departmental	<u>3,183,072</u>
Total General Fund	<u>\$111,119,454</u>

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer the appropriations in the General Fund Non-Departmental function to the related categories in the various General Fund functions.

BE IT STILL FURTHER RESOLVED that the appropriation of the transfer of one-half (1/2) of the actual meals tax collections to the Water and Sewer Extension and Stormwater Maintenance Funds be, and is hereby, adjusted in the General Fund to effect the funding for County water, sewer and stormwater projects.

BE IT STILL FURTHER RESOLVED that the appropriation of the transfer of an amount equal to actual revenues received as a result of the three percent (3%) increase in the Transient Occupancy Tax rate to the Tourism Fund be, and is hereby, adjusted in the General Fund to effect the funding for tourism and travel related activities.

BE IT STILL FURTHER RESOLVED that the \$49,128,984 appropriated above from the General Fund for Education and Educational Services, includes \$40,298,677 for the local contribution to the School Division for support of the School operating budget and, of this amount \$39,149,094 is appropriated as a non-categorical appropriation to be allocated among the various school operating categories as the School Board deems necessary and \$1,149,583 is appropriated to the Operation and Maintenance Category for continuation of the School Grounds Maintenance Agreement, dated June 23, 1992, as adopted by the York County Board of Supervisors and the York County School Board.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$5,791,143 for fiscal year 2007 be, and is hereby, made in the Social Services Fund for the operation of the York/Poquoson Department of Social Services.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Social Services Fund be, and is hereby, increased if and when additional federal and/or state funds or local contributions become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$10,000 for fiscal year 2007 be, and is hereby, made in the Law Library Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,294,696 for fiscal year 2007 be, and is hereby, made in the Children's Services Fund for the operation of the Children's Services, Head Start and the United States Department of Agriculture (USDA) Programs.

BE IT STILL FURTHER RESOLVED that the annual appropriations of the Head Start and USDA Programs be, and are hereby, increased if and when additional federal and/or state funds or local contributions become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,716,690 for fiscal year 2007 be, and is hereby, made in the Fire and Rescue Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$18,063,567 for fiscal year 2007 be, and is hereby, made in the School Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$5,256,292 for fiscal year 2007 be, and is hereby, made in the Public Facilities Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$4,723,656 for fiscal year 2007 be, and is hereby, made in the Stormwater Management Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$6,647,369 for fiscal year 2007 be, and is hereby, made in the County Capital Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$478,000 for fiscal year 2007 be, and is hereby, made in the County Workers' Compensation Fund for the management and operation of the workers' compensation program.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$2,370,990 for fiscal year 2007 be, and is hereby, made in the Tourism Fund for tourism and travel related activities.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Tourism Fund be, and is hereby, increased if and when additional revenues from the transient occupancy taxes become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$3,757,787 for fiscal year 2007 be, and is hereby, made in the Vehicle Maintenance Fund for the operation of the County's vehicle and equipment maintenance program.

BE IT STILL FURTHER RESOLVED that the following appropriations for fiscal year 2007 be, and are hereby, made in the Enterprise Funds:

**Funds:**

Solid Waste Fund	\$4,217,616
Water Utility Fund	\$ 495,057
Sewer Utility Fund	\$5,765,578
Water and Sewer Extension Fund	\$6,826,728

BE IT STILL FURTHER RESOLVED that the County Treasurer, upon receipt of a written order from the County Administrator, is authorized to advance monies between the several County funds under her custody provided, however, that the total advanced to any particular fund, plus the amount of monies disbursed from that fund, does not exceed the annual appropriation of said fund.

BE IT STILL FURTHER RESOLVED that, upon receiving notice of grant or program opportunities offered by various federal, state, local and other outside organizations, the County Administrator or his designee be, and is hereby designated as the agent to execute the necessary grant or program application and other documentation, unless the terms of the grant or program require specific actions by the Board, to give such assurances as may be required by the agreement subject to approval as to form by the County Attorney and to provide such additional information as may be required by the awarding organization. In addition, the funding awarded, not to exceed \$30,000, shall be, and is hereby, appropriated to the applicable functional area.

BE IT STILL FURTHER RESOLVED that interest earned on grant and program awards received from federal, state, local and other outside organizations be, and is hereby, appropriated to the appropriate functional area to be expended in accordance with guidelines as established by the organizations.

BE IT STILL FURTHER RESOLVED that additional funds received for various County programs, including contributions and donations, be, and are hereby, appropriated for the purposes established by each program.

BE IT STILL FURTHER RESOLVED that funds received for the off-duty employment by deputy sheriffs program be, and hereby are, appropriated in the General Fund to cover the costs of the program.

BE IT STILL FURTHER RESOLVED that funds received from the Virginia Department of Social Services through the Revenue Maximization Program for the enhancement and expansion of human services programs or to develop new initiatives to better meet human services needs within the County be, and are hereby, appropriated in accordance with program guidelines. The County Administrator shall advise the Board of Supervisors in writing of all such



actions.

BE IT STILL FURTHER RESOLVED that funds received from the Federal Emergency Management Agency (FEMA) for reimbursements for expenses incurred as a result of unusual or infrequent events not to exceed \$30,000 per incident be, and are hereby, appropriated under this program to the appropriate functional area.

BE IT STILL FURTHER RESOLVED that funds received through insurance claims for damages incurred to County property as a result of unusual or infrequent events not to exceed \$30,000 per incident be, and are hereby, appropriated under this program to the appropriate functional area.

BE IT STILL FURTHER RESOLVED that upon receipt of written notification from the State Compensation Board of additional funds for the Constitutional Officers (Commonwealth's Attorney, Sheriff, Clerk of Court, Treasurer, and Commissioner of the Revenue) be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the state government.

BE IT STILL FURTHER RESOLVED that the annual contributions that are in excess of \$30,000, which are hereby appropriated, shall be disbursed on a semi-annual basis with the amount disbursed not to exceed one-half of the total appropriation, unless otherwise agreed upon. Contributions to the York County School Board and the York/Poquoson Department of Social Services are exempt from this limitation. In addition, the County Administrator may require written reports on how the previous allocation(s) was/were spent before any future disbursements are made.

BE IT STILL FURTHER RESOLVED that the monies be, and are hereby, appropriated for fiscal year 2007 in the various funds for the purpose of liquidating encumbered purchase transactions as of June 30, 2006 not to exceed the Reserves for Encumbrances as recorded in the County's audited accounting records. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the monies be, and are hereby, appropriated for fiscal year 2007 in the various funds for the purpose of continuing capital and special projects as of June 30, 2006 not to exceed the Designation of Subsequent Year's Expenditures as recorded in the County's audited accounting records. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer funds within appropriation functions. These transfers may be made to allow the disbursement of funds for unanticipated costs incurred in daily County operations and any such transfer may not result in a change in the total appropriated for personnel or non-personnel costs within the function.

BE IT STILL FURTHER RESOLVED that the County Administrator, Director of Financial and Management Services and Chief of Budget and Financial Reporting be, and are hereby, the authorized signers for the General Administration petty cash account available to allow for emergency purchases necessary in daily County operations.

On roll call the vote was:

Yea:	(5)	Burgett, Shepperd, Noll, Bowman, Zaremba
Nay:	(0)	

#### APPROVAL OF THE FY2007-2012 CAPITAL IMPROVEMENTS PROGRAM

Mrs. Noll moved the adoption of proposed Resolution R06-36 that reads:

A RESOLUTION TO ADOPT THE FISCAL YEAR 2007-2012 CAPITAL IMPROVEMENTS PROGRAM AS A LONG-RANGE PLANNING

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DOCUMENT

WHEREAS, in consideration of materials received from the departments and agencies of the County and direction from the Board of Supervisors, the County Administrator has developed a proposed Fiscal Year 2007-2012 Capital Improvements Program; and

WHEREAS, the Capital Improvements Program serves as a long-range planning document subject each year to review and approval of funding by the Board of Supervisors; and

WHEREAS, such review has been completed for the fiscal year 2007-2012 Capital Improvements Program;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2006, that the County Administrator's proposed Fiscal Year 2007-2012 Capital Improvements Program be, and is hereby, adopted by the Board of Supervisors.

On roll call the vote was:

Yea: (5) Shepperd, Noll, Bowman, Burgett, Zaremba  
Nay: (0)

DESIGNATION OF REAL PROPERTY TAX FOR SCHOOL PURPOSES

Mrs. Noll moved the adoption of proposed Resolution R06-37 that reads:

A RESOLUTION TO DESIGNATE A PORTION OF THE REAL  
PROPERTY TAX FOR SCHOOL PURPOSES

WHEREAS, Public Law 874 enacted by the 81<sup>st</sup> Congress, and codified in 20 U.S.C. Sections 236 to 241-1 and 242 to 244 (hereinafter "the Act"), provides for federal financial assistance to local educational agencies in areas affected by federal activities; and

WHEREAS, approximately thirty-eight percent (38%) of the land area of York County is controlled by the federal government, which entitles the York County School Division to financial assistance under Section 2 of the Act, as administered pursuant to U. S. Department of Education regulations governing distribution of financial aid authorized by the Act, 34 CFR Part 222, Subpart J; and

WHEREAS, the York County School Division is a fiscally dependent local educational agency under these U. S. Department of Education regulations; and

WHEREAS, 34 CFR Section 222.3, Definitions, provides that for a fiscally dependent local educational agency, the local real property tax rate for school purposes can be defined as "that portion of a local real property tax rate designated by the general government for school purposes"; and

WHEREAS, the York County Board of Supervisors finds it to be in the best interest of the citizens of York County to designate a portion of the local real property tax rate for school purposes in conformance with 34 CFR Section 222.3;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2006, that, for Fiscal Year 2007, a portion of the York County, Virginia, local real property tax rate equal to fifty-six and seven tenths cents (\$0.567) per \$100 of valuation be, and is hereby, designated for school purposes as provided in 34 CFR Section 222.3.

On roll call the vote was:

Yea: (5) Noll, Bowman, Burgett, Shepperd, Zaremba

Nay: (0)

### **OPEN DISCUSSION**

Mr. Shepperd announced his District 5 Town Meeting to be held at the Tabb Elementary School Gymnasium at 7:00 p.m. on April 10.

Mrs. Noll noted that, as it has in the past, April has been designated as Child Abuse Prevention Month, and she encouraged everyone to keep their eyes and ears open for possible abuses.

Mr. McReynolds apprised the Board of a new military alliance that is being formed on the Peninsula, and stated he has been asked to serve on the organization's executive committee. He stated the alliance is moving forward to develop a strategic plan and making plans for meeting with the region's delegation in Washington.

Chairman Zaremba suggested the Board members read an article in the Virginia Gazette this past Saturday, which provides some insight to the state of parental guidance with respect to high school students in James City County. He stated the article is regarding a party that was held at a very affluent subdivision and included alcohol and drugs. He stated the story is very insightful and relates to adult responsibility for their children.

**CLOSED MEETING.** At 6:58 p.m. Mr. Bowman moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions.

On roll call the vote was:

Yea: (5) Bowman, Shepperd, Burgett, Noll, Zaremba  
Nay: (0)

Meeting Reconvened. At 7:00 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREE-  
DOM OF INFORMATION ACT REGARDING MEETING IN CLOSED  
MEETING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 4th day of April, 2006, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Shepperd, Noll, Bowman, Burgett, Zaremba

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Nay: (0)

APPOINTMENTS TO THE 2006 YORK COUNTY BEAUTIFICATION COMMITTEE

Mrs. Noll moved the adoption of proposed Resolution R06-33 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE 2006 YORK  
COUNTY BEAUTIFICATION COMMITTEE

BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2006, that the following individuals be, and they are hereby, appointed as members to the York County Beautification Committee for 2006, such appointments to begin immediately and expire on December 31, 2006:

Cindy Barbeau  
Mary Alice DeBow  
Barbara Dunbar  
Jeanne Eickhoff  
Carole Ferro  
Travis G. Hicks  
Bernice Little

Hal Murrow  
Lanna Rackley  
Donna J. Simpkins  
Joanne Smith  
Richard Wallsom  
Debra Wolfe

On roll call the vote was:

Yea: (5) Burgett, Noll, Bowman, Shepperd, Zaremba  
Nay: (0)

Meeting Adjourned. At 7:02 p.m. Chairman Zaremba declared the meeting adjourned sine die.

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James O. McReynolds, Clerk  
York County Board of Supervisors

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Walter C. Zaremba, Chairman  
York County Board of Supervisors